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March 17, 2006

Mr. Edward Beck, Regional Supervisor
Surface Water Protection Section
127 Cardinal Drive Extension
Wilmington, N.C. 28405

Re: Notice of Violation
Case Number: NOV-2006-DV-0041

Dear Mr. Beck:

This letter is in response to the above referenced Notice of Violation dated March 3, 2006 and received March 7, 2006 for a sewage spill that occurred in the vicinity of Warlick Estates Drive on February 25, 2006.

The NOV requested a detailed explanation of the actions that the City is taking to evaluate the condition and capacity of the Northeast Interceptor, (NEI), to make necessary repairs, and to provide necessary alternatives to allow wastewater to be contained and redirected when repairs are necessary. Following the July, 2005 SSO event the City, County and Town of Wrightsville Beach attended a series of meetings to devise a plan to prevent additional SSO's and to evaluate the NEI System as a whole. A request for qualifications for engineering services was jointly developed and advertised. In January, 2006 City Council awarded a contract to Kimley-Horn & Associates, (KHA), who was selected from three responsive candidates as being the most qualified firm to perform the engineering services. The scope proposed by KHA included the short and long term approach to addressing the condition of the NEI. ~~This~~ was a major consideration and the basis for selection of this firm. Attached is a copy of the contract between the City of Wilmington and KHA, including a detailed scope outlining the key tasks that will be performed. In order to expedite this project, KHA started work prior to the execution of the contract.

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Generally, KHA will simultaneously undertake two programs. The first program includes collecting data and performing a condition assessment of the existing forcemain. The existing contract with KHA provides for the design, construction administration and construction inspection services required to promptly remediate deficiencies discovered during this condition assessment and repair program. One of KHA's first tasks will be to prepare specifications and contract documents to enable the City to obtain bids and have a contractor in place to perform needed repairs as they are identified.

The second program will be to perform a system capacity analysis, a criticality assessment, and an operational and maintenance evaluation of the entire NEI System. Findings will be presented in a preliminary engineering report that summarizes the study methodology and provides alternatives and recommendations for improved reliability of the system and for containing and/or redirecting wastewater as necessary. A detailed implementation schedule will be proposed based upon the recommended alternatives. The City Manager is proposing \$5.25 million in capital project funding for FY 06-07 to

implement any recommended alternatives. This budget amount, of course, may be adjusted based on the results of the KHA study.

It is expected that completion of both of these programs can be accomplished in 24 weeks. Attached is an estimated itemized schedule for completing this work.

▼ In addition to the work being performed by KHA, the City has contracted with McKim & Creed Engineers to design and provide engineering services related to the replacement of approximately a 2300 feet segment of the NEI in the vicinity of Shipyard Boulevard. The limits of the force main to be replaced were defined by extracting representative samples or coupons from the force main to determine the extent of the deteriorated pipe. This project will provide a permanent repair to the forcemain in the area that failed resulting in an SSO in September, 2005. This force main replacement is expected to be complete in 36 weeks from the date of this letter.

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▼ The City is committed to completing a thorough condition assessment, capacity analysis and operational evaluation of the NEI as evidenced in the attached KHA contract and schedule. The City can provide monthly progress reports as the evaluation proceeds.

▼ Upon completion of the evaluation, the City requests further discussion with you and your staff to develop a mutually acceptable implementation schedule.

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We are undertaking efforts to mitigate future leaks and enhance our ability to detect them sooner. If DWQ has experience with new or emerging technologies that might apply to the NEI, we welcome that input. Our activities underway include the investigation of the use of bladder tanks and tanker trucks as a means of capturing sewer spills. The City participates in the Wilmington and New Hanover County Watersheds monitoring program under which UNCW monitors water quality in the tidal creeks, including Hewlett's Creek on a monthly basis. In addition, we will perform a weekly visual inspection of the pipeline route. A telephone HotLine number will be published to allow the public to report suspected sewer overflows. An updated management plan for the NEI will be implemented based upon the recommendations from the KHA study.

If you have any questions about this response or need additional information, please feel free to contact me.

Yours Truly,

▼ Sterling Cheatham
City Manager

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Cc: Hugh T. Caldwell, Public Utilities Director
Bill Justice, Utility Services Superintendent
Tom Pollard, City Attorney